

MINUTES

MONTANA SENATE 65th LEGISLATURE - REGULAR SESSION

COMMITTEE ON ENERGY AND TELECOMMUNICATIONS

Call to Order: Chair Duane Ankney, on March 23, 2017 at 3:00 PM, in Room 303
Capitol

ROLL CALL

Members Present:

Sen. Duane Ankney, Chair (R)
Sen. Pat Connell, Vice Chair (R)
Sen. Dick Barrett (D)
Sen. Mark Blasdel (R)
Sen. Douglas (Doug) Kary (R)
Sen. Sue Malek (D)
Sen. Mary McNally (D)
Sen. Keith Regier (R)
Sen. Tom Richmond (R)
Sen. Jason D. Small (R)
Sen. Russel (Russ) Tempel (R)
Sen. Gene Vuckovich (D)
Sen. Cynthia Wolken (D)

Members Excused: None

Members Absent: None

Staff Present: Charlene Devine, Committee Secretary
Sonja Nowakowski, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 219, 3/9/2017; SB 330, 3/16/2017; SB 357, 3/22/2017
Executive Action: SB 338, Be Concurred In As Amended; HB 219, Be Concurred In As Amended; HB 61, Be Concurred In As Amended; SR 53, Be Adopted; SB 357, Be Tabled; SB 330, Be Tabled; SB 38, Be Tabled

00:00:48 Chair Ankney

HEARING ON SB 330

Opening Statement by Sponsor:

00:01:30 Sen. Chas Vincent (R), SD 1, opened the hearing on SB 330, Provide for property assessed clean energy financing.

[EXHIBIT\(ens60a01\)](#)

[EXHIBIT\(ens60a02\)](#)

Proponents' Testimony:

00:10:50 Ed Gulick, High Plains Architects (HPA)

[EXHIBIT\(ens60a03\)](#)

[EXHIBIT\(ens60a04\)](#)

00:18:20 Jay Cederberg, Air Controls of Billings

[EXHIBIT\(ens60a05\)](#)

00:22:15 Ken Decker, Yellowstone Business County Commission, Livingston

00:24:46 Christopher Dorrington, Department of Environmental Quality (DEQ)

00:26:29 Carson Taylor, mayor, City of Bozeman

[EXHIBIT\(ens60a06\)](#)

00:26:57 Quint Nyman, American Federation of Labor and Congress of Industrial Organizations

00:28:11 Donna Onstott, Park County Senior Center

00:30:07 Martha Brown, City of Red Lodge

[EXHIBIT\(ens60a07\)](#)

00:33:35 Anna Rosenberry, City of Bozeman

00:34:54 Joan Kresich, Yellowstone Bend Citizens Council

[EXHIBIT\(ens60a08\)](#)

00:37:16 Gary Matson, self

00:38:35 Mary Fritzpatrick, self

00:39:24 Kelly Lynch, Montana League of City and Towns

00:39:40 John MacDonald, City of Missoula

00:40:03 Kim Rickard, Laborers' Local #1686

00:40:26 Deborah Muth, Mothers of Poor Millennials'

00:41:25 JD Lynch, Montana State Building and Construction Trades Council

00:41:42 Jeff Fox, Renewable Northwest

00:41:58 Neal Ullman, Montana Conservation Voters

00:42:12 Andrew Valainis, Montana Renewable Energy Association

00:42:24 Brian Fadie, Montana Environmental Information Center

Opponents' Testimony:

00:42:49 Eric Bryson, Montana Association of Counties

[EXHIBIT\(ens60a09\)](#)

00:46:04 Ronda Wiggers, Montana County Treasurers Association

00:58:24 Steve Turkiewicz, Montana Bankers Association

[EXHIBIT\(ens60a10\)](#)

01:07:36 Jim Brown, Montana Independent Bankers Association

Informational Testimony:

01:10:13 Jim Nolan, Montana Human Resources Development Council

[EXHIBIT\(ens60a11\)](#)

Questions from Committee Members and Responses:

01:11:49 Sen. Barrett

01:15:01 Mr. Gulick, HPA

01:15:08 Sen. Regier

01:17:05 Sen. Vincent

01:17:43 Sen. Blasdel

01:18:41 Mr. Gulick

01:19:31 Sen. Blasdel

01:20:11 Mr. Dorrington, DEQ

01:20:23 Laura Anderson, Department of Environmental Quality (DEQ)

01:20:54 Sen. Blasdel

01:22:01 Ms. Anderson, DEQ

01:22:08 Sen. Richmond

01:24:03 Mr. Gulick

01:24:38 Sen. Richmond

01:25:01 Ms. Anderson

01:25:41 Sen. McNally

01:27:06 Ms. Anderson

01:27:45 Sen. McNally

01:28:22 Ms. Rosenberry, Bozeman

01:30:57 Sen. McNally

01:31:50 Mr. Gulick

01:33:11 Sen. Barrett

01:35:13 Ms. Anderson

01:35:44 Sen. Barrett

01:35:56 Sen. McNally

01:36:44 Sen. Vincent

01:37:24 Chair Ankney

01:37:37 Sen. Vincent

Closing by Sponsor:

01:37:46 Sen. Vincent
01:41:53 Chair Ankney
01:42:41 Sen. Connell
01:43:31 Recess
01:44:35 Reconvene

HEARING ON SB 357

Opening Statement by Sponsor:

01:44:38 Sen. Douglas (Doug) Kary (R), SD 22, opened the hearing on SB 357, Provide phase-out of energy production or development property tax abatement.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

1:45:50 Sen. Kary

HEARING ON HB 219

Opening Statement by Sponsor:

01:46:09 Rep. Zach Brown (D), HD 63, opened the hearing on HB 219, Revise net metering laws.

Proponents' Testimony:

01:48:38 David Hoffman, NorthWestern Energy
01:51:01 Adam Haight, Northern Plains Resource Council
01:52:19 Tucker Finley, Montana Public Interest Research Group
01:53:33 Abigail Belcher, Associated Students of The University of Montana
01:54:11 Mary Fitzpatrick, self
01:54:39 Joan Kresich, self
01:55:16 Jeff Fox, Renewable Northwest
01:56:20 Gary Forrester, Montana Dakota Utilities
01:57:41 Ken Decker, Yellowstone Bend Citizens Council

Opponents' Testimony:

01:58:41 Andrew Valainis, Montana Renewable Energy Association
[EXHIBIT](#)(ens60a12)

02:01:22 Brian Fadie, Montana Environmental Information Center
[EXHIBIT](#)(ens60a13)

02:07:36 Diego Rivas, Northwest Energy Coalition

Informational Testimony:

02:14:29 Will Rosquist, Public Service Commission

Questions from Committee Members and Responses:

02:14:56 Sen. Barrett
02:17:11 Rep. Brown
02:19:01 Sen. Barrett
02:22:05 Mr. Rosquist, PSC
02:23:03 Sen. Regier
02:25:34 Mr. Rosquist
02:27:22 Sen. Connell
02:27:58 Sen. Malek
02:30:24 Mr. Rosquist
02:31:40 Sen. Malek
02:31:59 Mr. Hoffman, NWE
02:33:18 Sen. Connell
02:34:02 Rep. Brown

Closing by Sponsor:

02:35:12 Rep. Brown
02:35:47 Chair Ankney
02:36:00 Recess
02:42:35 Reconvene
02:42:50 Chair Ankney

EXECUTIVE ACTION ON SB 338

02:42:53 **Motion:** Sen. Connell moved that **SB 338 DO PASS.**

02:43:37 **Motion:** Sen. Ankney moved that **SB 338 BE AMENDED.**
[EXHIBIT](#)(ens60a14)

Discussion:

02:43:53 Sonja Nowakowski, Legislative Services Division (LSD)

02:44:16 **Vote:** Motion carried unanimously by voice vote. Sen. McNally voted by proxy.

02:44:57 **Motion:** Sen. Ankney moved that **SB 338 BE AMENDED.**
EXHIBIT(ens60a15)

Discussion:

02:45:06 Ms. Nowakowski, LSD

02:45:25 **Vote:** Motion carried unanimously by voice vote. Sen. McNally voted by proxy.

02:46:07 **Motion/Vote:** Sen. Connell moved that **SB 338 DO PASS AS AMENDED.**
Motion carried 12-1 by roll call vote with Sen. Barrett voting no. Sen. McNally voted by proxy.

EXECUTIVE ACTION ON HB 219

02:47:25 **Motion:** Sen. Connell moved that **HB 219 BE CONCURRED IN.**

02:47:43 **Motion:** Sen. Connell moved that **HB 219 BE AMENDED.**
EXHIBIT(ens60a16)

Discussion:

02:47:59 Sonja Nowakowski, Legislative Services Division
02:49:57 Sen. Connell

02:50:26 **Vote:** Motion carried unanimously by voice vote. Sen. McNally voted by proxy.

02:51:03 **Motion/Vote:** Sen. Connell moved that **HB 219 BE CONCURRED IN AS AMENDED.** Motion carried unanimously by roll call vote. Sen. McNally voted by proxy. Sen. Connell will carry the bill

EXECUTIVE ACTION ON HB 61

02:51:59 **Motion:** Sen. Connell moved that **HB 61 BE CONCURRED IN.**

02:52:51 **Motion:** Sen. Blasdel moved that **HB 61 BE AMENDED.**
EXHIBIT(ens60a17)

Discussion:

02:53:00 Sen. Blasdel

02:53:33 **Vote:** Motion carried unanimously by voice vote. Sen. McNally voted by proxy.

02:53:47 **Motion:** Sen. Connell moved that **HB 61 BE CONCURRED IN AS AMENDED.**

Discussion:

02:54:15 Sen. Connell

02:54:48 Sen. Wolken

02:55:08 Chair Ankney

02:55:31 Sen. Connell

02:56:21 **Vote:** Motion carried unanimously by roll call vote. Sen. McNally voted by proxy. Sen. Regier will carry the bill.

EXECUTIVE ACTION ON SR 53

02:57:52 **Motion:** Sen. Connell moved that **SR 53 BE ADOPTED.**

Discussion:

02:58:01 Chair Ankney

02:58:51 **Vote:** Motion carried unanimously by voice vote. Sen. McNally voted by proxy.

EXECUTIVE ACTION ON SB 330

02:59:19 **Motion:** Sen. Connell moved that **SB 330 DO PASS.**

02:59:49 **Motion:** Sen. Connell moved that **SB 330 BE AMENDED.**

[EXHIBIT\(ens60a18\)](#)

Discussion:

03:00:08 Sonja Nowakowski, Legislative Services Division (LSD)

03:01:19 **Vote:** Motion carried unanimously by voice vote. Sen. McNally voted by proxy.

03:01:43 **Motion:** Sen. Connell moved that **SB 330 BE AMENDED.**

[EXHIBIT\(ens60a19\)](#)

Discussion:

03:02:05 Ms. Nowakowski, LSD

03:04:02 Sen. Barrett

03:04:27 **Vote:** Motion carried 12-1 by roll call vote with Sen. Barrett voting no. Sen. McNally voted by proxy.

03:05:55 **Motion:** Sen. Connell moved that **SB 330 BE AMENDED.**

[EXHIBIT\(ens60a20\)](#)

Discussion:

03:06:07 Ms. Nowakowski

03:06:24 **Vote:** Motion carried unanimously by voice vote. Sen. McNally voted by proxy.

03:06:46 **Motion:** Sen. Connell moved that **SB 330 DO PASS AS AMENDED.**

Discussion:

03:07:16 Chair Ankney

03:08:04 Sen. Regier

03:08:43 Alicia Pettys, Northern Plains Resource Council

03:09:14 Chair Ankney

03:09:22 Sen. Connell

03:10:55 Sen. Richmond

03:13:01 Sen. Tempel

03:13:29 Sen. Wolken

03:14:20 Sen. Kary

03:14:32 Chair Ankney

03:14:38 Sen. Vuckovich

03:16:51 Sen. Kary

03:17:09 Ms. Nowakowski

03:17:22 Chair Ankney

03:18:14 Sen. Malek

03:19:17 Sen. Barrett

03:20:42 **Vote:** Motion failed 6-7 by roll call vote with Sen. Ankney, Sen. Barrett, Sen. Malek, Sen. McNally, Sen. Small and Sen. Wolken voting aye. Sen. McNally voted by proxy.

03:21:47 **Motion/Vote:** Sen. Connell moved that **SB 330 BE TABLED AND THE VOTE REVERSED.** Motion carried 9-4 by voice vote with Sen. Barrett, Sen. Malek, Sen. McNally and Sen. Wolken voting no. Sen. McNally voted by proxy.

EXECUTIVE ACTION ON SB 357

03:22:30 **Motion/Vote:** Sen. Kary moved that **SB 357 BE TABLED.** Motion carried unanimously by voice vote. Sen. McNally voted by proxy.

EXECUTIVE ACTION ON SB 38

03:23:17 **Motion/Vote:** Sen. Connell moved that **SB 38 BE TABLED.** Motion carried unanimously by voice vote. Sen. McNally voted by proxy.

EXHIBIT(ens60a21)

03:24:15 Chair Ankney

ADJOURNMENT

Adjournment: 6:30 PM

Charlene Devine, Secretary

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Additional Documents:

EXHIBIT([ens60aad.pdf](#))